

REMARKS

Entry of the foregoing and reconsideration of the application identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.111 and in light of the remarks which follow, are respectfully requested.

Applicants submit herewith a certified copy of German Patent Application No. 101 32 928.8, filed July 3, 2001, to which the present application claims the benefit of foreign priority. The Examiner is respectfully requested to acknowledge receipt of such document.

Applicants note with appreciation the indication that claims 1-4, 6-18, 21 and 22 are allowed, and that claim 5 would be allowable if rewritten to overcome the §112 rejection (Official Action at page 5).

By the above amendments, claims 19 and 20 have been canceled without prejudice or disclaimer. Claim 1 has been amended for readability purposes by deleting the term "HBP," and claims 4-7, 21 and 22 have been amended for readability purposes by replacing the term "HBP" with the unabbreviated term "hyperbranched polymer." Claim 5 has further been amended for readability purposes, and now recites "wherein the hyperbranched polymer contains reactive end groups selected from the group consisting of hydroxyl, carboxyl, anhydride and epoxy groups." Claim 16 has been amended for readability purposes to recite the word "further" prior to "comprising." Claim 17 has been amended for readability purposes, and now recites "wherein the solid phase post-condensation is processed as the product in a further process step." New dependent claims 23-25 have been added. Support for new claims 23 and 24 can be found in the instant specification at least at page 4, lines 17-24. Support for new claim 25 can be found in the specification at least at page 4, lines 13-14.

In the Official Action, claim 5 stands rejected under 35 U.S.C. §112, second paragraph. This rejection is moot in light of the above amendment of claim 5, wherein such

claim now recites that "the HBP contains reactive end groups." Accordingly, for at least this reason, withdrawal of the §112 rejection is respectfully requested.

Claims 19 and 20 stand rejected under 35 U.S.C. §102(b) and §102(e) for the reasons discussed at pages 3 and 4 of the Official Action. Without addressing the propriety of such rejections, and as noted above, claims 19 and 20 have been canceled without prejudice or disclaimer. Accordingly, the §102(b) and §102(e) rejections set forth in the Official Action are moot in light of the cancellation of claims 19 and 20.

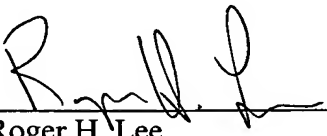
From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

BUCHANAN INGERSOLL PC (INCLUDING ATTORNEYS
FROM BURNS, DOANE, SWECKER & MATHIS)

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